



**APPLICATION FOR  
TRANSFER OF DEVELOPMENT RIGHTS  
PROGRAM CERTIFICATE**

**RETURN TO:**

**Michael T. Ruddy**

Director of Planning and Development  
Frederick County  
Department of Planning & Development  
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**FOR COUNTY USE ONLY:**

Date Received \_\_\_\_\_  
Completed Application Date \_\_\_\_\_  
Director of Planning and Development Approval Date \_\_\_\_\_

This is an application for landowners interested in participating in a Transfer of Development Rights (TDR) Program offered through Frederick County. The purpose of the TDR Program is to promote the protection of agricultural lands and open

spaces located within the County's sending areas by transferring residential dwelling units to the County's designated receiving areas that are capable of accommodating planned residential growth.

**Along with this application form, please submit the following:**

**Deed** A copy of the original deed with the deed book and page number stamp, under which the owner acquired the property.

**Survey/  
Plat** A survey or plat must accompany the deed.

Is there a lien held on any of the parcels included in this application (including, without limitation, holders of deed of trust liens and judgment liens)? If yes, please attach all lien information with this application.

yes no

**Deeds  
of Trust** If there are any deeds of trust (including mortgages) on the property, a copy of the original deed of trust with deed book and page number stamp.

What is the type of ownership?      Sole Owner      Partnership      Limited Liability Company  
   Husband & Wife      Corporation      Other:

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Owner's Full Name

Mailing Address

Street

City

State

Zip

Email

Phone

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Additional Owner's Full Name

Mailing Address (if different than above)

Street

City

State

Zip

Email

Phone

---

Additional Owner's Full Name

Mailing Address (if different than above)

Street

City

State

Zip

Email

Phone

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Additional Owner's Full Name

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**PROPERTY INFORMATION**

If you need help filling any of this information out, please contact the Planning Department. **540-665-5651**

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Below, please list the Property Identification Numbers and acreage for each contiguous parcel.

How many contiguous parcels are part of this application?

1<sup>st</sup> Property's Tax Map Identification \_\_\_\_\_ Acreage \_\_\_\_\_

2<sup>nd</sup> Property's Tax Map Identification \_\_\_\_\_ Acreage \_\_\_\_\_

3<sup>rd</sup> Property's Tax Map Identification \_\_\_\_\_ Acreage \_\_\_\_\_

4<sup>th</sup> Property's Tax Map Identification \_\_\_\_\_ Acreage \_\_\_\_\_

Magisterial District(s) for Parcels 1-4: \_\_\_\_\_

Zoning District Classification(s) for Parcels 1-4: \_\_\_\_\_

Are the parcels or parcel currently in Land Use? \_\_\_\_\_

What is the current use of the property(s)? \_\_\_\_\_

If the parcel(s) have an assigned address, list to the right.

Street \_\_\_\_\_

City \_\_\_\_\_ Zip \_\_\_\_\_

Are there any existing dwelling units located on the property?      Yes      No  
If yes, now many? \_\_\_\_\_

Are there any other buildings on the property(s)?      Yes      No  
If yes, provide the type and number. \_\_\_\_\_

Are there any existing easements or deed restrictions affecting this property? (eg. powerline corridors, access easements, conservation easements, etc.)      Yes      No  
If yes, please describe briefly. \_\_\_\_\_

How many density rights (number of dwelling units) do you plan on retaining on the site for existing or future development? If multiple contiguous parcels are included in the application, provide the number of retained rights desired for EACH parcel. \_\_\_\_\_  
\_\_\_\_\_

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### **PROPERTY QUALIFICATION**

If you need help filling any of this information out, please contact the Planning Department. **540-665-5651**

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### **SENDING SITE CRITERIA:**

I believe the property would qualify as a sending site because it contains one or more of the following public benefits as defined in Chapter 165, Article III – Transfer of Development Rights Program:

Zoned RA (Rural Areas), from which development rights have not already been purchased.

Located outside of the Urban Development Area (UDA) and the Sewer and Water Service Area (SWSA)

Designated in the Frederick County Comprehensive Policy Plan as Rural Areas.

Designated as an authorized sending property on the Frederick County Sending Areas Map.

Consist of at least twenty (20) acres of land under common ownership.

Be subdividable in accordance with Chapter 144 of the Frederick County Code, including but not limited to state road and access requirements.

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**ESTIMATED DENSITY CALCULATION**

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We ask that you complete this worksheet to assist yourself and the Planning Department with evaluating the property. This is not a binding determination of the number of development rights a particular parcel may qualify to transfer.

To estimate the number of development rights that can be transferred from a sending site, the total area available for transfer must first be determined. The area available for transfer is the total sending site area minus a number of possible deductions (listed in Step 1). Then the transfer area is multiplied by the base density for the zoning district of the sending site.

Any fractions of development rights that result from these calculations shall not be included in the final determination of total development rights available for transfer.

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**Step 1. Deductions:**

\_\_\_\_\_ square feet in existing conservation easements or similar encumbrances  
\_\_\_\_\_ square feet in submerged lands (i.e. lakes, rivers)  
\_\_\_\_\_ square feet of land area required by the zone for existing or proposed  
development (existing dwelling units and proposed dwelling units)  
  
\_\_\_\_\_ **Total Deductions (in square feet)**

**Step 2. Sending Site Area Calculation:**

\_\_\_\_\_ total area of sending site (in square feet)  
subtract \_\_\_\_\_ total deductions (in square feet)  
\_\_\_\_\_ **Total available sending site area (in square feet)**

**Step 3. Convert Area to Acres:**

\_\_\_\_\_ total available sending site area (in square feet) from Step 2.  
Divide by 43,560 square feet per acre  
\_\_\_\_\_ **Total sending site area in acres**

\*Include a separate calculation form for each individual parcel.

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### Step 4. Estimate Available Development Rights:

To determine the development rights available for transfer, multiply the total sending site acreage from Step 3 by the base density of the zoning district. The base density listed is for transfer purposes only and do not imply actual development potential of a parcel.

Sending sites zoned:  
RA (Rural Areas) District

Base density  
1 right / 5 acres

Permitted Bonus Density:

\*Sending Area #1

2 rights / 5 acres

\*Sending Area #2

1.5 rights / 5 acres

\*Sending Area #3

1 right / 5 acres

**Estimated Available Development Rights** \_\_\_\_\_

Any fractions of development rights that result from these calculations shall not be included in the final determination of total development rights available for transfer. Total available development rights calculated shall be rounded down to the nearest whole number.

The estimated number of available development rights calculation is provided to assist you with evaluating the property and developing your management goals. This is not a binding determination of the number of development rights a particular parcel may qualify to transfer.

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### **APPLICATION CHECKLIST** *Is the following information attached?*

- Legal Description of the Property
- Valid Survey
- Title Report
- Property Sketch or Site Plan - showing all existing and proposed residential units and other buildings, and any existing easements on the property
- Verification of Taxes Paid (receipts from the Treasurer's Office)
- Zoning Ordinance Violation Inspection from the Planning Department
- Application Fee of \$300 payable to the Treasurer of Frederick County (fee includes staff review of the TDR application and the issuance of a TDR Letter of Intent)

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**PROPERTY OWNER CERTIFICATION**

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I hereby certify that the information furnished on this application and the attachments are true, that I am the legal owner of the property described above, that I have marketable title to the property, and that I have the legal right to restrict the use of the property. I grant permission to Frederick County to seek an update from the Title Company prior its issuance of a Development Credit Transfer Certificate.

\_\_\_\_\_  
*Signature of Owner (Applicant)*

\_\_\_\_\_  
*Date*

\_\_\_\_\_  
*Signature of Co-Owner (Co-Applicant)*

\_\_\_\_\_  
*Date*